

1 AMENDMENT TO HOUSE BILL 5625

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5625 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Humane Care for Animals Act is amended by  
5 adding Section 3.03-1 as follows:

6 (510 ILCS 70/3.03-1 new)

7 Sec. 3.03-1. Depiction of animal cruelty.

8 (a) "Depiction of animal cruelty" means any visual or  
9 auditory depiction, including any photograph, motion-picture  
10 film, video recording, electronic image, or sound recording,  
11 that would constitute a violation of Section 3.01, 3.02,  
12 3.03, or 4.01 of the Humane Care for Animals Act or Section  
13 26-5 of the Criminal Code of 1961.

14 (b) No person may knowingly create, sell, market, offer  
15 to market or sell, or possess a depiction of animal cruelty.  
16 No person may place that depiction in commerce for commercial  
17 gain or entertainment. This Section does not apply when the  
18 depiction has serious religious, political, scientific,  
19 educational, law enforcement or humane investigator training,  
20 journalistic, or historical value.

21 The creation, sale, marketing, offering to sell or  
22 market, or possession of the depiction of animal cruelty is

1 illegal regardless of whether the maiming, mutilation,  
2 torture, wounding, abuse, killing, or any other conduct took  
3 place in this State.

4 (c) Any person convicted of violating this Section is  
5 guilty of a Class A misdemeanor. A second or subsequent  
6 violation is a Class 4 felony. In addition to any other  
7 penalty provided by law, upon conviction for violating this  
8 Section, the court may order the convicted person to undergo  
9 a psychological or psychiatric evaluation and to undergo any  
10 treatment at the convicted person's expense that the court  
11 determines to be appropriate after due consideration of the  
12 evaluation. If the convicted person is a juvenile, the court  
13 must order the convicted person to undergo a psychological or  
14 psychiatric evaluation and to undergo treatment that the  
15 court determines to be appropriate after due consideration of  
16 the evaluation."